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May 18, 2007

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Regarding- infringement of U.S. Patent 6,623,768 of Yousry NAGUIB, and U.S. Patent Application 10/551,772 of Ezio BOMBARDELLI et al. (Examiner Sudhakar KATAKAM).

Sir:

As I mentioned in my letter dated April 19, 2007 to Mr. Sudhakar Katakam that the U.S. Patent Application No. 10/551,772 of Ezio Bombardelli et al., entitled "Process for the preparation of ferutinine from ferula genus plants," contains claims 1,3,4,5 and 6 which infringe claims 1,5,6,7,8 and 10 of my U.S. Patent No. 6,623,768.

Ferula genus consists of about 170 species of flowering plants (see <http://en.wikipedia.org/wiki/Ferula>) including assafoetida, communis, and hermonis. Not all the ferula species contain daucane compounds.

Daucane compounds in claim 1 of Application 10/551,772 are terpenoid compounds (sesuiterpenes) as given this nomenclature in claim 2 of U.S. Patent 6,623,768.

U.S. Patent 6,623,768 discloses a pharmaceutically active composition extracted from ferula hermonis by supercritical carbon dioxide (claim 5) at temperatures ranging from 31 to 80 degree C. and pressures between 150 and 400 bar (claim 7). The pharmaceutically active composition comprising terpenoid compounds (see Figure 1 in U.S. Pat. No. 6,623,768), of which compounds can be hydrolyzed to Jaeschkenadiol and then esterified to ferutinine.

In U.S. Patent Application 10/551,772 part a of claim 1 and claim 3 infringe part b of claim 1 (extraction) of U.S. Patent 6,623,768.

In U.S. Patent Application 10/551,772 claim 4 infringes claims 5 and 7 of U.S. Patent 6,623,768.

Please reject claim 3 and amend part a of claim 1 to specify *Ferula communis* and not *Ferula spp* (which includes *hermonis*) in Application 10/551,772 of Ezio BOMBARDELLI et al.

Please let me know if you need further information.

Respectfully submitted

*Yousry Naguib*

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April 19, 2007

Mr. Sudhakar Katakam  
Group Art Unit: 1621  
United States Patent and Trademark Office  
P.O.Box 1450  
Alexandria, VA 22313-1450

Regarding- Infringement of U.S. Pat. No. 6,623,768 by Yousry M.A. Naguib

Dear Mr. Katakam:

I am the inventor of the U.S. Pat. No. 6,623,768, entitled "Pharmaceutically active composition extracted from Ferula hermonis and process of its extraction"; I would like to inform you that the U.S. Patent Application No. 10/551,772 (inventors: Ezio Bombardelli, Gabriele Fontana, Aldo Cristoni, Enrico Mercalli), entitled "Process for the preparation of ferutinine from ferula genus plants," of which you are the examiner, contains claims which infringe the claims of my U.S. Pat. No. 6,623,768. Please let me know if you need any information pertaining to this matter. I shall look forward to an acknowledgement of receiving this letter.

Sincerely Yours,

*Yousry Naguib*

Yousry M.A. Naguib  
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CC/ Commissioner of United States Patent and Trademark Office